

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
OFFICE OF THE CLERK

BRUCE RIFKIN  
CLERK

WILLIAM KENZO NAKAMURA  
U.S. COURTHOUSE, SUITE 215  
SEATTLE, WASHINGTON 98104

August 15, 2002

Mr. Richard W. Wieking  
Clerk  
United States District Court  
Phillip Burton United States Courthouse  
Box 36060  
450 Golden Gate Avenue  
San Francisco, CA 94102-3489

FILED ENTERED  
LODGED RECEIVED

AUG 21 2002

AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
DEPUTY  
BY 

IN RE: MDL 1407 PHENLYPROPANOLAMINE (PPA) Products Liability Litigation

Dear Clerk:

Enclosed is a certified copy of the Transfer Order entered by the Judicial Panel on Multidistrict Litigation. The Order became effective August 9, 2002. We have assigned an individual Western Washington District of Washington (WAW) case number to your case to be transferred to us as listed below.

Please send us your file along with a certified copy of your docket entries. When you send your file, please refer to our civil case number.

Title of Case  
Bradley v. Chattem, Inc., et al  
Draper, et al v. Chattem, Inc. et al

Your Number  
3:02-686  
3:02-701

WAW Number

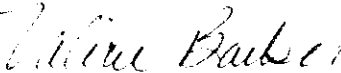
CV 02-1702

CV 02-1703

Sincerely,

BRUCE RIFKIN, CLERK

By



Valerie Barber, Deputy Clerk  
206-553-4170 ext 4



MD 01 01 407 00000879

879

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
OFFICE OF THE CLERK

BRUCE RIFKIN  
CLERK

WILLIAM KENZO NAKAMURA  
U.S. COURTHOUSE, SUITE 215  
SEATTLE, WASHINGTON 98104

August 15, 2002

Ms. Loretta G. Whyte  
Clerk  
United States District Court  
C-151 United States Courthouse  
500 Camp Street  
New Orleans, LA 70130-3367

IN RE: MDL 1407 PHENLYPROPANOLAMINE (PPA) Product Liability Litigation

Dear Clerk:

Enclosed is a certified copy of the Transfer Order entered by the Judicial Panel on Multidistrict Litigation. The Order became effective August 9, 2002. We have assigned an individual Western Washington District of Washington (WAW) case number to your case to be transferred to us as listed below.

Please send us your file along with a certified copy of your docket entries. When you send your file, please refer to our civil case number.

Title of Case	Your Number	WAW Number
Mercier v. Ciolino Pharmacy	2:02-413	CV 02-1704
Bailey v. Bayer Corp.	2:02-539	CV 02-1705
Spencer v. Bayer Corp.	2:02-569	CV 02-1706
Christy v. Bayer Corp.	2:02-577	CV 02-1707
Adams v. American Home Prod.	2:02-620	CV 02-1708
Brister v. Bayer Corp.	2:02-621	CV 02-1709
Patterson v. Bayer Corp.	2:02-622	CV 02-1710
McCrary v. Bayer Corp.	2:02-642	CV 02-1711
Stone v. Bayer Corp.	2:02-660	CV 02-1712
Opoku v. Whitehall-Robins Hlthcare	2:02-662	CV 02-1713
Daigre v. Bayer Corp.	2:02-672	CV 02-1714
Martin v. Bayer Corp.	2:02-673	CV 02-1715
Harrell v. Novartis Pharmaceuticals Corp.	2:02-682	CV 02-1716
Washington v. Bayer Corp.	2:02-698	CV 02-1717
Jackson v. Novartis Pharmaceuticals Corp.	2:02-704	CV 02-1718
Crain v. Bayer Corp.	2:02-712	CV 02-1719
Williams v. Novartis Pharmaceuticals Corp.	2:02-723	CV 02-1720
Ohillia v. Novartis Pharmaceuticals Corp.	2:02-724	CV 02-1721
Hoofkin v. Novartis Pharmaceuticals Corp.	2:02-742	CV 02-1722

Carter v. Bayer Corp.	2:02-743
Barber v. Novartis Pharmaceuticals Corp.	2:02-744
Ohmer v. Novartis Pharmaceuticals Corp.	2:02-746
Counts v. Novartis Pharmaceuticals Corp.	2:02-749
Lee v. Bayer Corp.	2:02-753
Ladmirault v. Chattem, Inc.	2:02-771
Cage v. Whitehall-Robins Hlthcare	2:02-772
Brumfield v. Glaxo Smithkline PLC	2:02-784
Gilbert v. Bayer Corp.	2:02-790
Gaspar v. Bayer Corp.	2:02-808
Victor v. Bayer Corp.	2:02-809
Lee v. Bayer Corp.	2:02-819
Martin v. Novartis Pharmaceuticals Corp.	2:02-823
Rollins v. Bayer Corp.	2:02-830
Charles Sr., v. Bayer Corp.	2:02-831
Savoie v. Bayer Corp.	2:02-832
Davis Sr., v. Bayer Corp	2:02-833
Clark v. Bayer Corp.	2:02-834
Falgoust v. Bayer Corp.	2:02-839
Clark v. GlaxoSmithkline PLC	2:02-846
LaFrance v. Bayer Corp..	2:02-853
Washington v. Bayer Corp.	2:02-856
Corbin v. Bayer Corp.	2:02-857
Lambremont v. Bayer Corp.	2:02-858
Barquet v. GlaxoSmithKline PLC	2:02-869
Benjamin v. Bayer Corp.	2:02-886
Brady v. Bayer Corp.	2:02-887
Fleming v. Bayer Corp.	2:02-888
Joseph v. Bayer Corp.	2:02-889
Jones v. Bayer Corp.	2:02-891
Gaines v. Bayer Corp.	2:02-918
Thomas Sr., v. Bayer Corp.	2:02-953

Sincerely,

BRUCE RIFKIN, CLERK

By

Valerie Barber, Deputy Clerk

206-553-4170 ext 4

CV 02 - 1723  
 CV 02 - 1724  
 CV 02 - 1725  
 CV 02 - 1726  
 CV 02 - 1727  
 CV 02 - 1728  
 CV 02 - 1729  
 CV 02 - 1730  
 CV 02 - 1731  
 CV 02 - 1732  
 CV 02 - 1733  
 CV 02 - 1734  
 CV 02 - 1735  
 CV 02 - 1736  
 CV 02 - 1737  
 CV 02 - 1738  
 CV 02 - 1739  
 CV 02 - 1740  
 CV 02 - 1741  
 CV 02 - 1742  
 CV 02 - 1743  
 CV 02 - 1744  
 CV 02 - 1745  
 CV 02 - 1746  
 CV 02 - 1747  
 CV 02 - 1748  
 CV 02 - 1749  
 CV 02 - 1750  
 CV 02 - 1751  
 CV 02 - 1752  
 CV 02 - 1753  
 CV 02 - 1754

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
OFFICE OF THE CLERK

BRUCE RIFKIN  
CLERK

WILLIAM KENZO NAKAMURA  
U.S. COURTHOUSE, SUITE 215  
SEATTLE, WASHINGTON 98104

August 15, 2002

Mr. Lawrence Talamo  
Clerk  
United States District Court  
Russell B. Long Federal Building  
777 Florida Street  
Baton Rouge, LA 70801-1712

IN RE: MDL 1407 PHENLYPROPANOLAMINE (PPA) Products Liability Litigation

Dear Clerk:

Enclosed is a certified copy of the Transfer Order entered by the Judicial Panel on Multidistrict Litigation. The Order became effective August 9, 2002. We have assigned an individual Western Washington District of Washington (WAW) case number to your case to be transferred to us as listed below.

Please send us your file along with a certified copy of your docket entries. When you send your file, please refer to our civil case number.

Title of Case	Your Number
Barcelone v. Bayer Corp.	3:02-200
Metevia v. Bayer Corp.	3:02-201
Emery, Jr., v. Bayer Corp.	3:02-210
Norwood v. Bayer Corp.	3:02-211
Leatherman v. Bayer Corp.	3:02-212
Bates v. Chattem, Inc.	3:02-213
Williams v. Bayer Corp.	3:02-214
Nelson v. Bayer Corp.	3:02-234
Connell v. Schering-Plough Corp.	3:02-238
West v. Bayer Corp.	3:02-258
Johnson v. Bayer Corp.	3:02-260
O'Bair v. Bayer Corp.	3:02-264
Ayers v. Bayer Corp.	3:02-292
Brown v. GlaxoSmithKline PLC	3:02-336

Sincerely,

BRUCE RIFKIN, CLERK

By *Valerie Barber*  
Valerie Barber, Deputy Clerk  
206-553-4170 ext 4

CV 02-1755  
CV 02-1756  
CV 02-1757  
CV 02-1758  
CV 02-1759  
CV 02-1760  
CV 02-1761  
CV 02-1762  
CV 02-1763  
CV 02-1764  
CV 02-1765  
CV 02-1766  
CV 02-1767  
CV 02-1768

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
OFFICE OF THE CLERK

BRUCE RIFKIN  
CLERK

WILLIAM KENZO NAKAMURA  
U.S. COURTHOUSE, SUITE 215  
SEATTLE, WASHINGTON 98104

August 15, 2002

Honorable Robert H. Shemwell  
Clerk  
United States District Court  
1167 United States Court House  
300 Fannin Street  
Shreveport, LA 71101-3083

IN RE: MDL 1407 PHENLYPROPANOLAMINE (PPA) Products Liability Litigation

Dear Clerk:

Enclosed is a certified copy of the Transfer Order entered by the Judicial Panel on Multidistrict Litigation. The Order became effective August 9, 2002. We have assigned an individual Western Washington District of Washington (WAW) case number to your case to be transferred to us as listed below.

Please send us your file along with a certified copy of your docket entries. When you send your file, please refer to our civil case number.

Title of Case	Your Number
Barnes v. Bayer Corp.	1:02-533
Smith, Jr., v. Bayer Corp.	2:02-517
Tibbit v. Bayer v. Bayer Corp.	3:02-364
Alexander v. Novartis Pharmaceuticals Corp.	3:02-534
West v. Bayer Corp.	5:02-354
Allums v. Whitehall-robins Hlthcare	5:02-365
Douglas v. Bayer Corp.	5:02-432
Evans v. Bayer Corp.	5:02-457
Specht v. Bayer Corp.	5:02-465
Charles v. Bayer Corp.	6:02-355
Frank v. Bayer Corp.	6:02-516
Ortego v. Bayer Corp.	6:02-639

Sincerely,

BRUCE RIFKIN, CLERK  
By *Valerie Barber*  
Valerie Barber, Deputy Clerk  
206-553-4170 ext 4

CV 02 - 1769  
CV 02 - 1770  
CV 02 - 1771  
CV 02 - 1772  
CV 02 - 1773  
CV 02 - 1774  
CV 02 - 1775  
CV 02 - 1776  
CV 02 - 1777  
CV 02 - 1778  
CV 02 - 1779  
CV 02 - 1780

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
OFFICE OF THE CLERK

BRUCE RIFKIN  
CLERK

WILLIAM KENZO NAKAMURA  
U.S. COURTHOUSE, SUITE 215  
SEATTLE, WASHINGTON 98104

August 15, 2002

Mr. James M. Parkison  
Clerk  
United States District Court  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, NY 10007-1312

IN RE: MDL 1407 PHENLYPROPANOLAMINE (PPA) Products Liability Litigation

Dear Clerk:

Enclosed is a certified copy of the Transfer Order entered by the Judicial Panel on Multidistrict Litigation. The Order became effective August 9, 2002. We have assigned an individual Western Washington District of Washington (WAW) case number to your case to be transferred to us as listed below.

Please send us your file along with a certified copy of your docket entries. When you send your file, please refer to our civil case number.

Title of Case  
Schor v. Novartis Consumer Health Inc.,

Your Number  
1:02-1684

WAW Number

**CV02-1781**

Sincerely,

BRUCE RIFKIN, CLERK  
By *Valerie Barber*  
Valerie Barber, Deputy Clerk  
206-553-4170 ext 4

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
OFFICE OF THE CLERK

BRUCE RIFKIN  
CLERK

WILLIAM KENZO NAKAMURA  
U.S. COURTHOUSE, SUITE 215  
SEATTLE, WASHINGTON 98104

August 15, 2002

Mr. William G. Putnicki  
Clerk  
United States District Court  
John H. Wood, Jr. United States  
Courthouse  
655 East Durango Boulevard  
San Antonio, TX 78206-1198

IN RE: MDL 1407 PHENLYPROPANOLAMINE (PPA) Products Liability Litigation

Dear Clerk:

Enclosed is a certified copy of the Transfer Order entered by the Judicial Panel on Multidistrict Litigation. The Order became effective August 9, 2002. We have assigned an individual Western Washington District of Washington (WAW) case number to your case to be transferred to us as listed below.

Please send us your file along with a certified copy of your docket entries. When you send your file, please refer to our civil case number.

Title of Case  
Dille v. Delco Co.

Your Number  
5:02-274

WAW Number

**CV 02-1782**

Sincerely,

BRUCE RIFKIN, CLERK  
By *Valerie Barber*  
Valerie Barber, Deputy Clerk  
206-553-4170 ext 4

**UNITED STATES OF AMERICA  
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**CHAIRMAN:**  
Judge Wm. Terrell Hodges  
United States District Court  
Middle District of Florida

**MEMBERS:**  
Judge John F. Keenan  
United States District Court  
Southern District of New York

Judge Morey L. Sear  
United States District Court  
Eastern District of Louisiana

Judge Bruce M. Selya  
United States Court of Appeals  
First Circuit

Judge Julia Smith Gibbons  
United States District Court  
Western District of Tennessee

Judge D. Lowell Jensen  
United States District Court  
Northern District of California

Judge J. Frederick Motz  
United States District Court  
District of Maryland

**DIRECT REPLY TO:**

Michael J. Beck  
Clerk of the Panel  
One Columbus Circle, NE  
Thurgood Marshall Federal  
Judiciary Building  
Room G-255, North Lobby  
Washington, D.C. 20002

Telephone: [202] 502-2800  
Fax: [202] 502-2888

<http://www.jpml.uscourts.gov>

August 9, 2002

Bruce Rifkin, Clerk  
215 William Kenzo Nakamura  
U.S. Courthouse  
1010 Fifth Avenue  
Seattle, WA 98104

Re: MDL-1407 -- In re Phenylpropanolamine (PPA) Products Liability Litigation

*(See Attached Schedule A of Order)*

Dear Mr. Rifkin:

I am enclosing a certified copy and additional copies of an order filed by the Judicial Panel on Multidistrict Litigation in the above-captioned matter. The act creating the Panel provides that:

Orders of transfer ... shall be filed in the office of the clerk of the district court of the transferee district and shall be effective when thus filed. The clerk of the transferee district court shall forthwith transmit a certified copy of the panel's order to transfer to the clerk of the district court from which the action is being transferred. 28 U.S.C. § 1407(c).

As is also required by the statute, a copy of the order is being sent to the clerk for the District of Rhode Island, the district in which the hearing on this matter was held on July 18, 2002.

A list of involved counsel is attached.

Very truly,

Michael J. Beck  
Clerk of the Panel

By \_\_\_\_\_  
Deputy Clerk

Enclosures/Attachment

cc: Transferee Judge: Hon. Barbara Jacobs Rothstein  
Transferor Judge: (See Attached List of Judges)  
Transferor Clerk: (See Attached List of Clerks)  
Hearing District Clerk: David A. DiMarzio



**A CERTIFIED TRUE COPY**

AUG - 9 2002

ATTEST  
FOR THE JUDICIAL PANEL OF  
MULTIDISTRICT LITIGATION

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

**AUG - 9 2002**

FILED  
CLERK'S OFFICE

**DOCKET NO. 1407**

**~~BEFORE THE JUDICIAL~~ PANEL ON MULTIDISTRICT LITIGATION**

**IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY  
LITIGATION**

**BEFORE WM. TERRELL HODGES, CHAIRMAN, JOHN F. KEENAN,  
MOREY L. SEAR,\* BRUCE M. SELYA,\* JULIA SMITH GIBBONS, D.  
LOWELL JENSEN AND J. FREDERICK MOTZ,\* JUDGES OF THE  
PANEL**

### **TRANSFER ORDER**

Before the Panel are motions brought, pursuant to Rule 7.4, R.P.J.P.M.L., 199 F.R.D. 425, 435-36 (2001), by parties seeking to vacate Panel orders conditionally transferring their actions listed on the attached Schedule A and pending in six districts as follows: 51 actions in the Eastern District of Louisiana, fourteen actions in the Middle District of Louisiana, twelve actions in the Western District of Louisiana, two actions in the Northern District of California, and one action each in the Southern District of New York and the Western District of Texas. Movants are i) plaintiffs in all actions except one of the Eastern District of Louisiana actions (*Adams*), ii) Metabolife, Inc. (Metabolife), a defendant in *Adams*, and iii) General Nutrition Corp (GNC), a defendant in another E.D. Louisiana action (*Ladmirault*). These parties object to transfer of their actions to the Western District of Washington for inclusion in the centralized pretrial proceedings occurring there in this docket before Judge Barbara Jacobs Rothstein. If the Panel nevertheless determines to order Section 1407 transfer, then i) Metabolife asks the Panel, pursuant to 28 U.S.C. § 1407(a), to simultaneously sever and remand the claims asserted against it in *Adams* to the Eastern District of Louisiana, and ii) GNC asks the Panel to do likewise in *Ladmirault* with respect to the claims asserted against GNC and one of its *Ladmirault* codefendants, Cytodyne Technologies, Inc. Various other defendants in the actions have responded in support of transfer.

On the basis of the papers filed and hearing session held, the Panel finds that these 81 actions involve common questions of fact with actions in this litigation previously transferred to the Western District of Washington, and that transfer of the actions to that district for inclusion in the coordinated or consolidated pretrial proceedings occurring there will serve the convenience of the parties and witnesses and promote the just and efficient conduct of the litigation. The Panel is persuaded that transfer of the actions is appropriate for reasons expressed by the Panel in its original order directing centralization in this docket. The Panel held that the Western District of Washington was the proper Section 1407 forum for actions brought by persons allegedly injured by products containing

---

\*Judges Sear, Selya and Motz took no part in the decision of this matter.

Phenylpropanolamine (PPA) – a substance which, until it recently became the subject of a public health advisory issued by the Food and Drug Administration, was used as an ingredient in many nasal decongestants and weight control products. See *In re Phenylpropanolamine (PPA) Products Liability Litigation*, 173 F.Supp.2d 1377 (J.P.M.L. 2001).

The plaintiffs opposing transfer of their actions premise much of their opposition to transfer on their argument that federal jurisdiction is lacking in their actions. These parties urge the Panel not to order transfer before remand motions are resolved by the appropriate transferor courts. We note that remand and other motions, if not resolved in transferor courts by the time of Section 1407 transfer, can be presented to and decided by the transferee judge. See, e.g., *In re Ivy*, 901 F.2d 7 (2nd Cir. 1990); *In re Prudential Insurance Company of America Sales Practices Litigation*, 170 F.Supp.2d 1346, 1347-48 (J.P.M.L. 2001).

Defendants Metabolife and GNC contend that their particular products and/or the products they sold contain ephedra rather than PPA, and that therefore transfer of the two actions containing claims asserted against them (*Adams* and *Ladmirault*) should be denied, because the actions will not share sufficient questions with the previously centralized MDL-1407 actions to warrant transfer. We point out that transfer under Section 1407 does not require a complete identity or even majority of common factual issues as a prerequisite to transfer. Nor is the presence of an additional type of defendant or product significant when all the underlying actions still contain, as here, product liability claims and factual allegations focusing on the safety of PPA. We observe that transfer under Section 1407 has the salutary effect of placing all actions in this docket before a single judge who can formulate a pretrial program that: 1) allows discovery with respect to any non-common issues to proceed concurrently with discovery on common issues, *In re Joseph F. Smith Patent Litigation*, 407 F.Supp. 1403, 1404 (J.P.M.L. 1976); 2) permits already completed discovery that is relevant to tag-along actions to be made applicable to those actions with a minimum of duplication and expense; and 3) ensures that pretrial proceedings will be conducted in a manner leading to the just and expeditious resolution of all actions to the overall benefit of the parties.

In light of the Panel's decision to order transfer of *Adams* and *Ladmirault*, defendants Metabolife and GNC each alternatively requests that the Panel sever and simultaneously remand the claims asserted against it (and, per GNC's request, against Cytodyne Technologies, Inc., in *Ladmirault*), thereby effectively denying transfer of those claims in the two actions. It may be, on further refinement of the issues and close scrutiny by the transferee judge, that these claims can be remanded in advance of other actions and claims in the transferee district. But we are unwilling, on the basis of the record before us, to make a determination at this time that the degree of interconnection between the claims against these defendants and the claims against other defendants in the affected actions is so small as to warrant exclusion of the "ephedra" claims from Section 1407 proceedings from the outset. We point out that whenever the transferee judge deems remand of any claims or actions appropriate, procedures are available whereby this may be accomplished with a minimum of delay. See Rule 7.6, R.P.J.P.M.L., 199 F.R.D. at 436-38.

IT IS THEREFORE ORDERED that, pursuant to 28 U.S.C. § 1407, the 81 actions listed on Schedule A are transferred to the Western District of Washington and, with the consent of that court,

assigned to the Honorable Barbara Jacobs Rothstein for inclusion in the coordinated or consolidated pretrial proceedings occurring there in this docket.

FOR THE PANEL:

A handwritten signature in cursive script, appearing to read "Wm. Terrell Hodges".

---

Wm. Terrell Hodges  
Chairman

## SCHEDULE A

### MDL-1407 -- In re Phenylpropanolamine (PPA) Products Liability Litigation

#### Northern District of California

*Margaret Bradley v. Chattem, Inc., et al.*, C.A. No. 3:02-686  
*Grace Draper, et al. v. Chattem, Inc., et al.*, C.A. No. 3:02-701

#### Eastern District of Louisiana

*Kevin Mercier v. Ciolino Pharmacy, et al.*, C.A. No. 2:02-413  
*Lawrence Bailey v. Bayer Corp., et al.*, C.A. No. 2:02-539  
*Denise Spencer v. Bayer Corp., et al.*, C.A. No. 2:02-569  
*Ronald Christy v. Bayer Corp., et al.*, C.A. No. 2:02-577  
*Linda Adams, et al. v. American Home Products Corp., et al.*, C.A. No. 2:02-620  
*Daniel Brister v. Bayer Corp., et al.*, C.A. No. 2:02-621  
*Cherrie Patterson v. Bayer Corp., et al.*, C.A. No. 2:02-622  
*Rose McCrary v. Bayer Corp., et al.*, C.A. No. 2:02-642  
*Darnell Stone v. Bayer Corp., et al.*, C.A. No. 2:02-660  
*Eva Opoku v. Whitehall-Robins Healthcare, et al.*, C.A. No. 2:02-662  
*Johnny Daigre v. Bayer Corp., et al.*, C.A. No. 2:02-672  
*Andrew Martin v. Bayer Corp., et al.*, C.A. No. 2:02-673  
*Mary Harrell v. Novartis Pharmaceuticals Corp., et al.*, C.A. No. 2:02-682  
*Frances Washington v. Bayer Corp., et al.*, C.A. No. 2:02-698  
*Gloria Jackson v. Novartis Pharmaceuticals Corp., et al.*, C.A. No. 2:02-704  
*Clyde Crain v. Bayer Corp., et al.*, C.A. No. 2:02-712  
*Herman Williams v. Novartis Pharmaceuticals Corp., et al.*, C.A. No. 2:02-723  
*Barbara Ohillia v. Novartis Pharmaceuticals Corp., et al.*, C.A. No. 2:02-724  
*Kenneth Hoofkin, et al. v. Novartis Pharmaceuticals Corp., et al.*, C.A. No. 2:02-742  
*William Carter v. Bayer Corp., et al.*, C.A. No. 2:02-743  
*Richard Barber v. Novartis Pharmaceuticals Corp., et al.*, C.A. No. 2:02-744  
*Wayne Ohmer v. Novartis Pharmaceuticals Corp., et al.*, C.A. No. 2:02-746  
*Laura Counts v. Novartis Pharmaceuticals Corp., et al.*, C.A. No. 2:02-749  
*Robert Lee v. Bayer Corp., et al.*, C.A. No. 2:02-753  
*Katherine Ladmirault v. Chattem, Inc., et al.*, C.A. No. 2:02-771  
*Gloria Cage v. Whitehall-Robins Healthcare, et al.*, C.A. No. 2:02-772  
*Michael Brumfield v. Glaxo SmithKline PLC, et al.*, C.A. No. 2:02-784  
*Judy Gilbert v. Bayer Corp., et al.*, C.A. No. 2:02-790  
*Carol Gasper v. Bayer Corp., et al.*, C.A. No. 2:02-808  
*Rummell Victor v. Bayer Corp., et al.*, C.A. No. 2:02-809

MDL-1407 Schedule A (Continued)

Eastern District of Louisiana (Continued)

*Veda Lee v. Bayer Corp., et al.*, C.A. No. 2:02-819  
*Aric Martin v. Novartis Pharmaceuticals Corp., et al.*, C.A. No. 2:02-823  
*Betty Rollins v. Bayer Corp., et al.*, C.A. No. 2:02-830  
*Timmy Charles, Sr. v. Bayer Corp., et al.*, C.A. No. 2:02-831  
*Charlene Savoie v. Bayer Corp., et al.*, C.A. No. 2:02-832  
*Alfred Davis, Sr. v. Bayer Corp., et al.*, C.A. No. 2:02-833  
*Dianne Clark v. Bayer Corp., et al.*, C.A. No. 2:02-834  
*Sylvia Falgoust v. Bayer Corp., et al.*, C.A. No. 2:02-839  
*Gary Clark v. GlaxoSmithKline, PLC, et al.*, C.A. No. 2:02-846  
*Norma LaFrance v. Bayer Corp., et al.*, C.A. No. 2:02-853  
*John Washington v. Bayer Corp., et al.*, C.A. No. 2:02-856  
*John Corbin v. Bayer Corp., et al.*, C.A. No. 2:02-857  
*Robert Lambremont v. Bayer Corp., et al.*, C.A. No. 2:02-858  
*Stephen Barquet v. GlaxoSmithKline, PLC, et al.*, C.A. No. 2:02-869  
*Catherine Benjamin v. Bayer Corp., et al.*, C.A. No. 2:02-886  
*Deborah Brady v. Bayer Corp., et al.*, C.A. No. 2:02-887  
*Althea Fleming v. Bayer Corp., et al.*, C.A. No. 2:02-888  
*Duane Joseph v. Bayer Corp., et al.*, C.A. No. 2:02-889  
*Marion Jones v. Bayer Corp., et al.*, C.A. No. 2:02-891  
*Pamela Gaines v. Bayer Corp., et al.*, C.A. No. 2:02-918  
*Lionel Thomas, Sr. v. Bayer Corp., et al.*, C.A. No. 2:02-953

Middle District of Louisiana

*Carl Barcelone v. Bayer Corp., et al.*, C.A. No. 3:02-200  
*Jacqueline Metevia v. Bayer Corp., et al.*, C.A. No. 3:02-201  
*David Emery, Jr. v. Bayer Corp., et al.*, C.A. No. 3:02-210  
*Agatha Norwood v. Bayer Corp., et al.*, C.A. No. 3:02-211  
*Kelvin Leatherman v. Bayer Corp., et al.*, C.A. No. 3:02-212  
*Jerry Bates v. Chattem, Inc., et al.*, C.A. No. 3:02-213  
*Beatrice Williams v. Bayer Corp., et al.*, C.A. No. 3:02-214  
*Jonathan Nelson v. Bayer Corp., et al.*, C.A. No. 3:02-234  
*Rosetta Connell v. Schering-Plough Corp., et al.*, C.A. No. 3:02-238

MDL-1407 Schedule A (Continued)

Middle District of Louisiana (Continued)

*David West v. Bayer Corp., et al.*, C.A. No. 3:02-258  
*Liticia Johnson v. Bayer Corp., et al.*, C.A. No. 3:02-260  
*Daisy O'Bair v. Bayer Corp., et al.*, C.A. No. 3:02-264  
*Mable Ayers v. Bayer Corp., et al.*, C.A. No. 3:02-292  
*Nettie Brown v. Glaxo SmithKline PLC, et al.*, C.A. No. 3:02-336

Western District of Louisiana

*Gloria Barnes v. Bayer Corp., et al.*, C.A. No. 1:02-533  
*Robert Smith, Jr. v. Bayer Corp., et al.*, C.A. No. 2:02-517  
*Elizabeth Tibbit v. Bayer Corp., et al.*, C.A. No. 3:02-364  
*Herbert Alexander v. Novartis Pharmaceuticals Corp., et al.*, C.A. No. 3:02-534  
*James West v. Bayer Corp., et al.*, C.A. No. 5:02-354  
*Girtha Allums v. Whitehall-Robins Healthcare, et al.*, C.A. No. 5:02-365  
*Mildred Douglas v. Bayer Corp., et al.*, C.A. No. 5:02-432  
*Norman Evans v. Bayer Corp., et al.*, C.A. No. 5:02-457  
*Barbara Specht v. Bayer Corp., et al.*, C.A. No. 5:02-465  
*Joseph Charles v. Bayer Corp., et al.*, C.A. No. 6:02-355  
*Timothy Frank v. Bayer Corp., et al.*, C.A. No. 6:02-516  
*Helen Ortego v. Bayer Corp., et al.*, C.A. No. 6:02-639

Southern District of New York

*Natalie Schor v. Novartis Consumer Health, Inc., et al.*, C.A. No. 1:02-1684

Western District of Texas

*Angelita Dille, et al. v. Delaco Co., et al.*, C.A. No. 5:02-274

**INVOLVED COUNSEL LIST**  
**DOCKET NO. 1407**  
**IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION**

W. Paul Andersson  
Leake & Andersson, L.L.P.  
1100 Poydras Street  
Suite 1700  
New Orleans, LA 70163

Thomas P. Anzelmo  
Campbell, McCranie, Sistrunk,  
Anzelmo, Hardy  
3445 N. Causeway Boulevard  
Suite 800  
Metairie, LA 70002

Jeffrey H. Baraban  
Baraban & Teske  
Walnut Plaza, Suite 250  
215 N Marengo Avenue  
Pasadena, CA 91101

Paul E. Baron  
Lewis, D'Amato, Brisbois & Bisgaard  
One Sansome Street  
Suite 1400  
San Francisco, CA 94104

Charles P. Blanchard  
Chaffe, McCall, Phillips, Toler &  
Sarpy  
2300 Energy Centre  
1100 Poydras Street  
New Orleans, LA 70163

Joy Goldberg Braun  
Sessions, Fishman & Nathan, LLP  
Suite 3500  
201 St. Charles Avenue  
New Orleans, LA 70170

Haydn J. Brill  
Faust, Goetz, Schenker & Blee  
61 Broadway  
New York, NY 10006

Jeffrey M. Byer  
Sandler Lasry Laube Byer & Valdez  
402 West Broadway  
Suite 1700  
San Diego, CA 92101

Frederick R. Campbell  
Campbell, McCranie, Sistrunk,  
Anzelmo, Hardy  
3445 N. Causeway Boulevard  
Suite 800  
Metairie, LA 70002

John A. Childers  
Johnson & Bell  
55 E Monroe Street  
Suite 4100  
Chicago, IL 60603

Clayton Clark  
Clark, Depew & Tracey, Ltd.  
440 Louisiana  
Suite 1600  
Houston, TX 77002

Country Corner, Inc.  
c/o Charles L. Hitt  
4006 John Street  
Berwick, LA 70342

J. Robert Davis, Jr.  
J. Robert Davis, LLP  
440 Louisiana Avenue  
Suite 1600  
Houston, TX 77002

David E. Dukes  
Nelson, Mullins, Riley &  
Scarborough, LLP  
1330 Lady Street  
Keenan Bldg., 3rd Floor  
P.O. Box 11070  
Columbia, SC 29211

Family Dollar  
c/o John G. Clifford  
P.O. Box 1017  
Charlotte, NC 28201-1017

Philip Andre' Fontenot  
Davidson, Meaux, Sonnier, et al.  
P.O. Box 2908  
Lafayette, LA 70502

Franhill Drugs, Inc.  
204-19 Hillside Avenue  
Hollis, NY 11423

Garyville General Store  
759 Rue Crozat  
Garyville, LA 70051

Vance A. Gibbs  
Kean, Miller, Hawthorne,  
D'Armond, et al.  
One American Place  
22nd Floor  
P.O. Box 3513  
Baton Rouge, LA 70821

Ernest P. Gieger, Jr.  
Pulaski, Gieger & Laborde  
One Shell Square  
Suite 4800  
New Orleans, LA 70139

Michael B. Golden  
Robinson & Cole  
780 Third Avenue  
4th Floor  
New York, NY 10017

Douglas A. Hofmann  
Williams, Kastner & Gibbs  
P.O. Box 21926  
Seattle, WA 98111

Sessions Ault Hootsell, III  
Phelps Dunbar, LLP  
Canal Place  
365 Canal Street  
Suite 2000  
New Orleans, LA 70130

Hubbens Inc.  
c/o Neal Harmon  
560 North Alexander  
Port Allen, LA 70767

Joseph Hurson  
Lane, Powell, Spears & Lubersky  
1420 5th Avenue  
Suite 4100  
Seattle, WA 98101

James B. Irwin  
Irwin, Fritchie, Urquhart & Moore  
400 Poydras Street  
Suite 2700  
New Orleans, LA 70130

John F. Jakuback  
Kean, Miller, Hawthorne,  
D'Armond, et al.  
One American Place  
22nd Floor  
P.O. Box 3513  
Baton Rouge, LA 70825

Raphael Juneau, Jr.  
Smith & Harang  
One Canal Place  
365 Canal Street  
Suite 2850  
New Orleans, LA 70130

Dana G. Kirk  
Kirk Law Firm  
4265 San Felipe  
Suite 1400  
Houston, TX 77027

Nicole Krasny  
Fulbright & Jaworski  
865 South Figueroa Street  
29th Floor  
Los Angeles, CA 90017

Joseph B. Landry  
Landry & Lavelle, LLP  
639 Loyola Ave  
Suite 2500  
New Orleans, LA 70113

Joseph Dwight LeBlanc, III  
Frilot, Partridge, Kohnke &  
Clements, LC  
3600 Energy Centre  
1100 Poydras Street  
New Orleans, LA 70163

Lori B. Leskin  
Kaye Scholer, LLP  
425 Park Avenue  
12th Floor  
New York, NY 10022

J. Chandler Loupe  
Claitor, Loupe & Bateman, LLC  
2223 Quail Run Drive  
Suite G  
Baton Rouge, LA 70808

Joanna C. Maino  
Boornazian Jensen & Garthe  
1800 Harrison Street  
25th Floor  
Oakland, CA 94604

Majoria Family  
c/o Anthony S. Majoria  
7 Lakeway Court  
New Orleans, LA 70131

John P. Manard, Jr.  
Phelps, Dunbar, LLP  
Canal Place  
365 Canal Street  
Suite 2000  
New Orleans, LA 70130

Timothy J. McNamara  
Onebane, Bernard, Torian, et al.  
102 Versailles Boulevard  
Suite 600  
P.O. Box 3507  
Lafayette, LA 70502

James J. Morse, Jr.  
James J. Morse, PLC  
Pan American Life Center  
601 Poydras  
Suite 2750  
New Orleans, LA 70130

Betty Finley Mullin  
Chaffe, McCall, Phillips, Toler &  
Sarpy  
2300 Energy Centre  
1100 Poydras Street  
New Orleans, LA 70163

Richard B. Nevils  
Nevils Law Firm  
P.O. Box 80237  
Baton Rouge, LA 70898-0237

Susan A. Ogdie  
Filice, Brown, Eassa & McLeod  
1999 Harrison Street  
18th Floor  
Oakland, CA 94612

John F. Olinde  
Chaffe, McCall, Phillips, Toler &  
Sarpy  
2300 Energy Centre  
1100 Poydras Street  
New Orleans, LA 70163

Lance Eugene Palmer  
Levinson, Friedman, Vhugen,  
Duggan, et al.  
720 3rd Avenue  
Suite 1800  
Seattle, WA 98101

Charles F. Preuss  
Drinker Biddle & Reath  
225 Bush Street  
15th Floor  
San Francisco, CA 94104

James C. Rather  
Campbell, McCranie, Sistrunk,  
Anzelmo & Hardy  
3445 N. Causeway Blvd.  
Suite 800  
Metairie, LA 70002

Edward J. Rice, Jr.  
Adams & Reese  
4500 One Shell Square  
New Orleans, LA 70139

Herschel E. Richard, Jr.  
Cook, Yancey, et al.  
P.O. Box 22260  
Shreveport, LA 71120

Mark E. Seamster  
Scale, Daigle & Ross, LLP  
200 N. Cate Street  
P.O. Drawer 699  
Hammond, LA 70404

Randolph S. Sherman  
Kaye Scholer, LLP  
425 Park Avenue  
12th Floor  
New York, NY 10022

Stanton E. Shuler, Jr.  
Leake & Andersson, L.L.P.  
1700 Energy Centre  
1100 Poydras Street  
New Orleans, LA 70163

Peter Simshauser  
Skadden, Arps, Slate, Meagher &  
Flom  
300 South Grand Avenue  
Suite 3400  
Los Angeles, CA 90071

Gregory T. Skikos  
Lopez, Hodes, Restaino, et al.  
625 Market Street  
15th Floor  
San Francisco, CA 94105

Graham N. Smith  
Onebane, Bernard, Torian, et al.  
102 Versailles Boulevard  
Suite 600  
P.O. Box 3507  
Lafayette, LA 70502

Stuart Housel Smith  
Smith & Harang  
One Canal Place  
365 Canal Street  
Suite 2850  
New Orleans, LA 70130

Stephanie G. Spivey  
Wal-Mart Stores, Inc.  
702 S.W. 8th Street  
Bentonville, AR 72716

Michael G. Stag  
Smith & Harang  
One Canal Place  
365 Canal Street, Suite 2850  
New Orleans, LA 70130

Monica T. Surprenant  
Baldwin & Haspel  
Energy Center, Suite 2200  
1100 Poydras Street  
New Orleans, LA 70163



John Goulding Swift  
Swift & Rhoades  
P.O. Box 53107  
Lafayette, LA 70505-3107

Thrifty Drugs Of Franklin  
c/o Hallene S. Magee  
948 15th Avenue, Box 586  
HillSide Shopping  
Franklinton, LA 70438

Terry O. Tottenham  
Fulbright & Jaworski, LLP  
600 Congress Avenue  
Suite 2400  
Austin, TX 78701

C. Crews Townsend  
Miller & Martin  
Volunteer Building, Suite 1000  
832 Georgia Avenue  
Chattanooga, TN 37402

Jack Etherton Truitt  
Truitt Law Firm  
251 Highway 21  
Madisonville, LA 70447

Vicki C. Warner  
Barham & Warner  
920 Pierremont Road  
Suite 412  
Shreveport, LA 71106

Leila H. Watson  
Cory, Watson, Crowder & DeGaris  
2131 Magnolia Avenue  
Suite 200  
Birmingham, AL 35205

Craig S. Wolcott  
Hayes, McConn, Price & Pickering  
400 Citicorp Center  
1200 Smith Street  
Houston, TX 77002

Mark E. Young  
Plauche, Maselli & Landry  
201 St. Charles Avenue  
Suite 4240  
New Orleans, LA 70170

**INVOLVED JUDGES LIST**  
**DOCKET NO. 1407**  
**IN REPHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION**

Hon. Carl J. Barbier  
 U.S. District Judge  
 C-322 U.S. Courthouse  
 500 Camp Street  
 New Orleans, LA 70130

Hon. Helen G. Berrigan  
 Chief Judge, U.S. District Court  
 C-566 U.S. Courthouse  
 500 Camp Street  
 New Orleans, LA 70130-3353

Hon. James J. Brady  
 U.S. District Judge  
 369 Russell B. Long Federal Building  
 777 Florida Street  
 Baton Rouge, LA 70801-1712

Hon. Denise Cote  
 U.S. District Judge  
 1040 Daniel Patrick Moynihan  
 U.S. Courthouse  
 500 Peal Street  
 New York, NY 10007-1312

Hon. Rebecca F. Doherty  
 U.S. District Judge  
 4900 U.S. Courthouse  
 800 Lafayette Street  
 Lafayette, LA 70501

Hon. Stanwood R. Duval, Jr.  
 U.S. District Judge  
 C-368 U.S. Courthouse  
 500 Camp Street  
 New Orleans, LA 70130

Hon. Kurt D. Engelhardt  
 U.S. District Judge  
 C-317 U.S. Courthouse  
 500 Camp Street  
 New Orleans, LA 70130

Hon. Eldon E. Fallon  
 U.S. District Judge  
 C-456 U.S. Courthouse  
 500 Camp Street  
 New Orleans, LA 70130

Hon. Martin L.C. Feldman  
 U.S. District Judge  
 C-555 U.S. Courthouse  
 500 Camp Street  
 New Orleans, LA 70130-3318

Hon. Richard T. Haik, Sr.  
 Chief Judge, U.S. District Court  
 4200 U.S. Courthouse  
 800 Lafayette Street  
 Lafayette, LA 70501

Hon. Robert G. James  
 U.S. District Judge  
 U.S. District Court  
 P.O. Drawer 3107  
 Monroe, LA 71201-3107

Hon. Ivan L.R. Lemelle  
 U.S. District Judge  
 C-525 U.S. Courthouse  
 500 Camp Street  
 New Orleans, LA 70130

Hon. Mary Ann Vial Lemmon  
 U.S. District Judge  
 C-406 U.S. Courthouse  
 500 Camp Street  
 New Orleans, LA 70130

Hon. F. A. Little, Jr.  
 Senior U.S. District Judge  
 P.O. Box 1031  
 Alexandria, LA 71309-1031

Hon. Marcel Livaudais, Jr.  
 Senior U.S. District Judge  
 C-405 U.S. Courthouse  
 500 Camp Street  
 New Orleans, LA 70130-3317

Hon. A. J. McNamara  
 Senior U.S. District Judge  
 C-367 U.S. Courthouse  
 500 Camp Street  
 New Orleans, LA 70130-3342

Hon. Tucker L. Melancon  
 U.S. District Judge  
 4700 U.S. Courthouse  
 800 Lafayette Street  
 Lafayette, LA 70501

Hon. James R. Nowlin  
 Chief Judge  
 U.S. District Court  
 U.S. Courthouse  
 200 West Eighth Street  
 Austin, TX 78701

Hon. John V. Parker  
 Senior U.S. District Judge  
 355 Russell B. Long Federal Building  
 777 Florida Street  
 Baton Rouge, LA 70801-1712

Hon. Frank J. Polozola  
 Chief Judge, U.S. District Court  
 313 Russell B. Long Federal Bldg.  
 777 Florida Street  
 Baton Rouge, LA 70801-1712

Hon. G. Thomas Porteous, Jr.  
 U.S. District Judge  
 C-206 U.S. Courthouse  
 500 Camp Street  
 New Orleans, LA 70130-3325

Hon. Tom Stagg  
 Senior U.S. District Judge  
 4100 U.S. Courthouse  
 300 Fannin Street  
 Shreveport, LA 71101-3091

Hon. James T. Trimble, Jr.  
 U.S. District Judge  
 237 Edwin F. Hunter, Jr.  
 U.S. Courthouse & Fed. Bldg.  
 611 Broad Street  
 Lake Charles, LA 70601

Hon. Ralph E. Tyson  
 U.S. District Judge  
 301 Russell B. Long Fed. Bldg.  
 777 Florida Street  
 Baton Rouge, LA 70801-1712

Hon. Sarah S. Vance  
 U.S. District Judge  
 C-255 U.S. Courthouse  
 500 Camp Street  
 New Orleans, LA 70130

Hon. Vaughn R. Walker  
 U.S. District Judge  
 Phillip Burton U.S. Courthouse  
 P.O. Box 36060  
 450 Golden Gate Avenue  
 San Francisco, CA 94102-3489

Hon. Donald E. Walter  
 Senior U.S. District Judge  
 4200 U.S. Courthouse  
 300 Fannin Street  
 Shreveport, LA 71101-3050

Hon. Jay C. Zainey  
 U.S. District Judge  
 C-151 U.S. Courthouse  
 500 Camp Street  
 New Orleans, LA 70130-3367

**INVOLVED CLERKS LIST**  
**DOCKET NO. 1407**  
**IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION**

James M. Parkison, Clerk  
Daniel Patrick Moynihan  
U.S. Courthouse  
500 Pearl Street  
New York, NY 10007-1312

Lawrence Talamo, Clerk  
U.S. District Court  
Russell B. Long Federal Building  
777 Florida Street  
Baton Rouge, LA 70801-1712

Loretta G. Whyte, Clerk  
C-151 U.S. Courthouse  
500 Camp Street  
New Orleans, LA 70130-3367

Richard W. Wicking, Clerk  
Phillip Burton U.S. Courthouse  
Box 36060  
450 Golden Gate Avenue  
San Francisco, CA 94102-3489

Robert H. Shemwell, Clerk  
P.O. Box 1269  
Alexandria, LA 71309-1269

Robert H. Shemwell, Clerk  
2100 U.S. Courthouse  
800 Lafayette Street  
Lafayette, LA 70501

Robert H. Shemwell, Clerk  
Post Office Drawer 3087  
Monroe, LA 71201-3087

Robert H. Shemwell, Clerk  
1167 U.S. Courthouse  
300 Fannin Street  
Shreveport, LA 71101-3083

William G. Putnicki, Clerk  
John H. Wood, Jr. U.S. Courthouse  
655 East Durango Boulevard  
San Antonio, TX 78206-1198